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Attorneys for the United States,

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

HERIBERTO ZARCO-BEIZA,

Defendants.

No. CR 09-00316 JW

STIPULATION AND ~~PROPOSED~~  
ORDER CONTINUING HEARING

**STIPULATION**

The parties, by and through their respective counsel, hereby stipulate and agree that the status hearing currently set for Monday, May 18, 2009 may be continued to Monday, June 8, 2009 at 1:30 p.m. The reason for the requested continuance is to permit the parties to continue settlement negotiations and to accommodate effective preparation of counsel.

The parties further stipulate and agree the time until June 8, 2009 be excluded from the

Stipulation and [Proposed] Order Continuing  
Hearing, CR 09-00316 JW

1 time within which trial shall commence, as reasonable time necessary for effective preparation  
2 and continuity of counsel, taking into account the exercise of due diligence, pursuant to Title 18,  
3 United States Code Section 3161(h)(7)(A) and (h)(7)(B)(iv).

4  
5 Dated: May 15, 2009

6 s/ \_\_\_\_\_  
7 CYNTHIA LIE  
8 Assistant Federal Public Defender

9 Dated: May 15, 2009

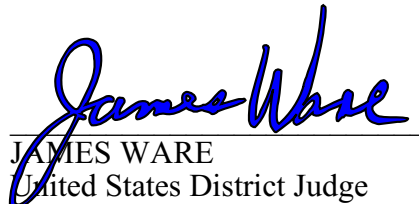
10 s/ \_\_\_\_\_  
11 CHAD MANDELL  
12 Special Assistant United States Attorney

13 ~~PROPOSED~~ ORDER

14 Good cause appearing and by stipulation of the parties, it is hereby ordered that the status  
15 hearing of Monday May 18, 2009 shall be continued to Monday June 8, 2009 at 1:30 p.m.

16 It is further ordered that the time until June 8, 2009 be excluded from the time within  
17 which trial shall commence under the Speedy Trial Act, as the reasonable time necessary for  
18 effective preparation and continuity of counsel, taking into account the exercise of due diligence,  
19 pursuant to Title 18, United States Code Section 3161(h)(8)(A) and (h)(8)(B)(iv).

20 Dated: May 15, 2009

21   
22 JAMES WARE  
23 United States District Judge

24  
25  
26 Stipulation and [Proposed] Order Continuing  
Hearing, CR 09-00316 JW